

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 1198 of 2019**

1. Ganesh Verma, S/o- Late Shri Shiv Kumar Verma, Aged about -39 years, R/o- Anand Vatika, Samriddhivihar, Village - Fari, District - Bemetara (C.G.)
2. Awadesh Patel, S/o- Late Shri Shiv Kumar, Aged about -37 years, R/o - Anand Vatika, Samriddhivihar, Village - Fari, District - Bemetara (C.G.)
3. Tukeshwar Verma, S/o- Shri Baldau Singh Verma, Aged about -38 years, R/o- Village - Khamhariya, District - Bemetara (C.G.)
4. Wasim Khan, S/o - Shri Shakil Khan, Aged about -32 years, R/o- Samriddhivihar, Village - Fari, District - Bemetara (C.G.)

-----Petitioners**Versus**

1. State of Chhattisgarh, Through Secetary, Department of Home, Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. Superintendent of Police, District Bemetara (Chhattisgarh)
3. Sub-Divisional Officer (Police), District - Bemetara (C.G.)
4. Station House Officer, Police Station - City Kotwali- Bemetara, District - Bemetara (C.G.)

----- Respondents

For Petitioners	:	Mr. Vinay Pandey, Advocate.
For Respondents	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/12/2019**

(1) Shri Vinay Pandey, learned counsel appearing for the petitioners would submit that the respondents No. 3 & 4 are unnecessarily harassing the petitioners by repeatedly calling them in the police station by serving impugned notice (Annexure P-1) collectively, therefore, aforesaid notice (Annexure P-1) be quashed and, as such, respondents No.3 and 4 be restrained from harassing them unnecessarily.

(2) Per contra, counsel for the State/respondents would submit that notice dated 11.10.2019 (Annexure P-1) sought to be quashed by writ petition filed on 2.12.2019 has come to an end as the date & time mentioned in the notice has already come to an end and now the petitioners are not being harassed unnecessarily; and for investigation of the complaint, they were noticed vide Annexure P-1.

(3) I have heard learned counsel appearing for the parties.

(4) A careful perusal of the documents would show that in order to verify the complaint, Sub Divisional Officer (Police), Bemetara has called the petitioners on 14.10.2019, the said date has already come to an end and, thereafter, no such fresh notice has been issued, by which they have been called by respondents No. 3 & 4. Furthermore, the date and time mentioned in the notice dated 11.10.2019 (Annexure P-1) collectively has already come to an end as it was issued for their appearance on

14.10.2019 and, therefore, it cannot be quashed. There is no other documents available on record to hold that they are being harassed unnecessarily by the respondents No. 3 & 4/Police authorities.

(5) In view of above, the petitioners are at liberty to make representation to the Superintendent of Police, Bemetara for redressal of their grievances, if any.

(6) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

